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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

YIM BING KWONG,

Plaintiff,

v.

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS,

Defendant.

Case No. 10-cv-04860 NC

**STIPULATION AND ~~PROPOSED~~ ORDER
OF DISMISSAL**

Action Filed: October 27, 2010

Trial Date: None Set

WHEREAS, the parties have entered into a Settlement Agreement covering all claims at issue in the above-captioned action;

WHEREAS, pursuant to the terms of the Settlement Agreement, the parties have now agreed that this action should be dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(2);

WHEREAS, the parties agree and request that the Court retain jurisdiction over this action to enforce the terms of the parties' Settlement Agreement;

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NOW THEREFORE, Plaintiff Yim Bing Kwong and Defendant City and County of San Francisco Department of Public Works, by and through their respective counsel, stipulate and request that the Court order the above-captioned action dismissed with prejudice, pursuant to Fed. R. Civ. P. 41(a)(2), with the Court to retain jurisdiction over the action to enforce the terms of the parties' Settlement Agreement.

DATED: October 31, 2012

COBLENTZ, PATCH, DUFFY & BASS LLP

By: /s/ Katharine T. Van Dusen
Katharine T. Van Dusen*
Attorneys for Plaintiff YIM BING KWONG

DATED: November 2, 2012

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS

By: /s/ Andrew Gschwind
Andrew Gschwind
Attorneys for Defendant CITY AND COUNTY
OF SAN FRANCISCO DEPARTMENT OF
PUBLIC WORKS

PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED.

Dated: November 5, 2012

MAGISTRATE JUDGE
United States District Court
Northern District of California
Nathanael Cousins
JUDGE NATHANAEL M. COUSINS

* I hereby attest that I have on file all holographic signatures corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed document.